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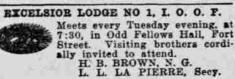
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POLYNESIA ENCAMPMENT NO. 1, L. O. O. P. Meets every first and third Friday of the month, at 7:30 p. m., in Odd Fellows' Hall, Fort Street Visiting brothers cordially invited to attend.

R. MENAUGH, C. P. L. L. LA PIERRE, Scribe.



HARMONY LODGE NO. S. I. O. O. F. Meets every Monday evening, at 7:30, in Odd Fellows' Hall, Fort Street. Visiting brothers cordially invited to attend.

J. LIGHTFOOT, N. G.
E. R. HENDRY, Secy.

PACIFIC REBEKAH LODGE NO. 1, I. O. O. F.

Meets every second and fourth Thursday, at 7:30 p. m., Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend. FLORENCE LEE, N. G. ALICE NICHOLSON, Secy.

OLIVE BRANCH REBEKAH LODGE NO. 2, Meets every first and third Thursday, at 7:30 p. m., in Odd Fellows' Hall. Visiting Rebekahs are cordially invited to attend. FRANCIS BINDT, N. G. SALLIE L. WILLIAMS, Secy.

OCEANIC LODGE NO. 371, F. & A. M. Meets on the last Monday of each month, at Masonic Temple, at 7:30 p. m. Visiting brethren are cordially invited to attend.

R. H. BEMROSE, W. M.
W. H. GOETZ, Secy.

LEAHI CHAPTER NO. 2, O. E. S. Meets every third Monday of each month, at 7:30 p. m., in the Masonic Temple. Visiting sisters and brothers are cordially invited to attend.

ANNA S. WRIGHT, W. M. ADEDAIDE M. WEBSTER,

LEI ALOHA CHAPTER NO. 3, O. E. S. Meets at the Masonic Temple every second Saturday of each month, at 7:30 p. m. Visiting sisters and brothers are cordially invited to attend.

MINNIE FRAZEE, W. M.

A. E. WELBOURNE, Secy.

LADIES' AUXILIARY, A. O. H., DIVISION



Maeta every first and third Tuesday, at 8 p. m., in C. B. U. Hall, Fort Street. Visiting sisters are cordi-ally invited to attend. MRS. K. COWES, Pres. JOSEPHINE DILLON, Sec.

Meets every first and third Monday, at 7:30 p. m., at Knights of Pythias Hall, Fort and Beretania streets. All visitors cordially invited to attend.

MARTHA AHRENS, M. E. C. SALLIE L. WILLIAMS, K. R. S.

OAHU LODGE NO. 1, K. of P.

Meets every first and third Friday at
7:30 o'clock, Pythian Hall, corner
Beretania and Fort streets. Visiting
brothers cordially invited to attend.
F. R. NUGENT, C. C. J. W WHITE, K. R. S.

WILLIAM MCKINLEY LODGE NO. 8, K. of P. Meets every second and fourth Saturday evening at 7:30 o'clock, in Pythian Hall, corner Beretania and Fort streets. Visiting brothers cordially invited to attend. F. M. McGREW, C. C.

E. A. JACOBSON, K. R. S. Meets every second and fourth Tuesday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street.

GASPAR SILVA, C. R. M. C. PACHECO, F. S. CAMOES CIRCLE NO. 240. C. O. P.

Meets every second and fourth Thursday of each month, at 7:30 p. m., in San Antonio Hall, Vineyard street. Visiting companions are cordially invited to attend.

MRS. H. L. PEREIRA, C. C.

MR. L. A. PERRY, F. S.

Meets every first and third Wednesday evenings of each month, at 7:30 p. m., in Pythian Hall, corner Fort and Beretania streets. Visiting brothers cordially invited.

W. KELLE, C. R.
JAS. K. KAULIA, P. C., F. S.

H. T. MOORE, Secy. M. & P.

Meets on the first Sunday evening of each month, at 7 o'clock, at Odd Fellows' Hall. All sojourning brethren are cordially invited to attend.

By order Worthy President.

By order Worthy President, J. B. SEARLE; FRANK C. POOR, Secy.

THEODORE ROOSEVELT CAMP NO. 1, U.S.W.V.



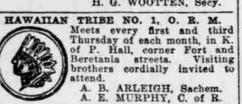
Meets every first and third Wednesday of each month in Waverley Hall, corner Bethel and Hotel streets, at 7:30 p. m. By order of the Camp Commander.

J. K. BROWN, Adjt. SONS OF ST. GEORGE LODGE NO. 355

Meets every second and fourth Thursday at K. of P. Hall. Visiting brothers cordially ISAAC COCKETT, W. P. JOHN RICHARDSON, Secy. MARINE ENGINEERS BENEFICIAL ASSO-CIATION.

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E. HUGHES, Pres.
H. G. WOOTTEN, Secy.









HAWAII CHAPTER NO. 1, ORDER OF

KAMEHAMEHA.

Meets every first and third Thursday evening of each month at 7:30 o'clock in Fraternity Hall, Odd Fellows' Building, on Fort

N. FERNANDEZ,

Fraternal Meetings AFONG SUIT TO COME TO TRIAL

\$10,000 Case of Mrs. Burns.

By a decision handed down in the Mrs. Burns, will be fought out in the courts again. Mrs. Afong filed a dethe so-called "parole evidence rule." The demurrer was overruled by Circuit Judge De Bolt, who gave his decision as follows:

The complaint herein alleges in substance, that defendant, in consideration of plaintiff's signing and executing a certain instrument, promised to pay plaintiff the sum of \$10,000.

Defendant demurs on the ground that the alleged promise is in conflict with the so-called "parole evidence rule." It will be observed that plaintiff does not seek to recover on this instrument so signed and executed by her, but upon another and distinct contract which was the inducement for the execution by her of the former. Hence, the rule

which prohibits the admission of parole evidence to vary or contradict the terms of a written contract, has no application in this case. Plaintiff does not seek to vary or contradict the terms of the written instrument. This is not the objeet nor can such be the effect of this suit. And, while each contract is separate and distinct from the other-each complete within itself-each was, in part at least, the consideration or in-

As the court said in Bonney v. Morrill, 57 Me. 368: "If it could be maintained that the object and effect of this evidence must be to contradict. vary, or in any manner to control the legal import of the written agreement between the parties, its admission could not be sanctioned. But on a careful examination it will be seen, that there is nothing inconsistent with the written stipulations of the parties, and that the parol evidence is offered to establish a distinct collateral agreement between the same parties, which was not required to be in writing, and which, in fact, constituted in part the consideration of the written agreement. The authorities are abundant, that proof of such an agreement, not inconsistent with the terms of the writing, may be

made by parol evidence." Both upon reason and authority it appears clear that an oral promise made written contract and is not inconinstrument. In my opinion the complaint states a

cause of action. The demurrer, therefore, is overruled.

Argument in the matter of the probate of the last will and testament of Honolulu Aerie 140, F. O. E.

Meets on second and fourth Wednesday evenings of each month, at 7:30 o'clock, in Pythian Hall, corner Beertania and Fort streets. Visiting Eagles are invited to attend.

WM. C. McCOY, W. P.

WM. C. McCOPE Second and fourth wednesday evenings of each month, at 7:30 o'clock, in Pythian agreement among the attorneys, the matter was continued for two weeks. The inventory of the property of Mrs. Campbell-Parker was also filed in the Circuit ourt yesterday morning, in Mrs. Campbell-Parker was heard in the Circuit ourt yesterday morning, in which it is stated that her holdings are

Real estate in Kewalo, \$2521.04; Tantalus, \$3900; on Dowsett Lane, \$2300; Emma street, \$11,000; Pearl Horber Project Pr Harbor Peninsula, \$10,000. Bonds-Kohala Ditch, \$90,000; Olaa,

\$29,100; O. R. & L., \$4000; Alex. Young Building Co., \$57,000. Notes and Mortgages-Excelsior Lodge O. O. F., \$21,500; note Sam Parker

(paid), \$26,700; note Princess Kawananakoa, \$6800; numerous others totaling about \$8000. Two life insurance policies-first, to Helen Kapiolani Kawananakoa, \$32,000;

second, to Alice E. K. Macfarlane. Debts due estate-Princess Kawana-

nakoa, \$42,607.16; Mrs. A. K. Macfar-lane, \$23,778.26. This money was advanced them to pay back two years' income which the court decided they were not entitled to.

It is currently reported that the poition of Chinese interpreter for the police court has been or is to be given by the City Attorney to Willie Crawford, the Supervisors having left the matter of recommending someone in Mr. Catheart's hands. As it will be Judge Andrade's duty to make the appointment, however, it is not thought likely that Willie will land the job. P. O. E., will meet in their even if recommended. According to a request of the City Attorney, the Supervisors are fixing the pay for this position at \$100 a month, a raise over what it has been, although, for some who could fill the place, the matter of the county salary would be immaterial. Cottage, Palama, near car-line \$15.00

The Board of Liquor Commissioners met Tuesday afternoon and granted two transfers of license from retail Lot with two cottages, corner Miller and to wholesale. One of these was at Wainahu and the other at Honouliuli. Fine lot in Palolo Tract. Most of the liquor merchants in the House and Lot, Kewalo. outlying districts are transferring Lots in Puunui Tract. their licenses from retail to wholesale, Houses and Lots in Palama, because they have to deliver the most Lots in Nuuanu Valley and Kaimuki. of their trade, and this is not permis- House and Lot, King street, near sible under a retail license.

CATHCART EVADED DIRECT ANSWERS

Demurrer Is Overruled in the Filed Reply Tuesday Afternoon to Complaint of H. G. Middleditch.

Escaping a direct answer of almost Circuit Court yesterday afternoon, the every allegation made against them suit of Bessie R. Burns to secure the by H. G. Middleditch, trustee in banksum of \$10,000 from Julia H. Afong, ruptcy for the Chas. H. Herrick Comwhich the latter is alleged to have prny, Ltd., John W. Catheart, Mary promised on condition of the signing Catheart and Percy M. Pond have filed of a certain compromise document by their joint and several answer to the complaint of the former. The evasions murrer to the suit on the ground that in the answer are mostly connected At my Salesroom, 847 Kaahumanu St. the alleged promise was in conflict with with John W. Catheart's part in the

On the first allegation named in the complaint, the answer filed states that the defendants "have no sufficient knowledge or information as to dates, terms, or amounts alleged to have been made by Catheart to the C., H. Herrick Carriage Company," and they there-fore deny the truth of the paragraph and leave the plaintiff to his proof

On the second allegation, the defendants also have had a lapse of memory and state that they have no sufficient information or belief to enable them to answer that part of the complaint alleging that on May 20, 1903, the Herrick company was declared a bankrupt and H. G. Middleditch was made trustee on September 29, 1904. So again they deny the truth of the allegation and leave the plaintiff to his proof thereof.

The defendants in the suit admit that the complainant recovered a judgment for \$275.23 on December 20, 1905, in an assumpsit suit against Catheart. However, the execution on a judgment for \$337.65, issued July ducement for the other being entered 14, 1908, was returned nulla bona by the High Sheriff of the Territory, which practically means that it was

A denial is made that Mary Cath-cart entered into a contract with P. M. Pond on January 1, 1904, whereby she agreed to purchase a house and lot from the latter for the sum of \$3250, and it is also denied that there was any attempt to defraud the just crediters of Catheart. It is denied that Mary Catheart paid on the alleged contract the sum of \$2500, and that Mary Cathcart, by reason of the fraudulent practises of John W. Cathcart, holds any equity in the alleged contract with P. M. Pond or in the lot referred to.

Catheart and the others then tell the story of how the house and lot on College Hills was secured. They allege that in August, 1902, Edith E. Pond leased certain premises on College Hills the Cathearts at a monthly rental by one party in consideration of the of \$35, to be paid in advance. On execution of a written instrument by the payment of \$1500, the premises the other may be shown by parol evi- were to be conveyed to the lessees by dence. This doctrine or procedure is warranty deed, free from all encum-founded upon the principle that the brances, save the mortgage of Peter C. parol promise sought to be shown was Jones for \$2000. The premises were either collateral to or induced the leased on the above conditions for four years by an oral agreement besistent with the terms of the written tween Mrs. Pond and Mrs. Cathcart, The oral agreement was at a later date reduced to writing, but was never signed by either of the parties, according to the defendants' answer, the ownership in fee simple now being alleged to lie with Mrs. Pond.

It is alleged by Catheart that the option to purchase the premises expired in August, 1908, and that they are occupying the premises merely as rent-paying tenants.

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